

## Nicaragua Concedes Rights

### Secretary Hay and Senor Correa Sign a Treaty—United States Acquires Privileges for Construction of a Canal.

Washington, Dec. 1.—Secretary Hay this morning, for the government of the United States, and Senor Correa, the Nicaraguan minister, for his own government, signed a treaty whereby the latter government concedes to the government of the United States the necessary rights and privileges within her territorial limits for the construction of the Nicaragua canal. This action is taken in anticipation of congressional action upon the pending Nicaragua canal bill and the Hay-Panama treaty. Pending the submission of the treaty to the Senate which body must ratify the agreement, its terms will not be made public. It

is understood, however, that generally Nicaragua grants to the United States government the exclusive right to construct and operate the canal between the Atlantic and Pacific across Nicaragua, including the use of the San Juan river and of Lake Managua as part of the water course. Nicaragua is also to rid herself of any outstanding treaties that would tend in any way to abridge the privilege to be acquired by the United States. It is understood also that Nicaragua concedes to the United States full authority to police the canal. Nicaragua is to receive in compensation a certain amount of the securities of the canal construction company, and although it is not possible now to learn the figure set down in the treaty, it is believed to approximate \$50,000,000.

## HEBER FRANKLAND BADLY HURT.

### Caught in a Coal Car Collision at No. 1 Mine, Scofield—Thrown Under a Loaded Car, and His Stomach Crushed—Injuries Are Serious.

[SPECIAL TO THE "NEWS"]

Scofield, Utah, Dec. 1.—Heber Frankland, who took the place of Andrew Johnston driving the spike team in No. 1 mine, was seriously injured last night at 8:30 p. m. The injury was caused from three empties coming uncoupled of the empty trip going in and when

coming out ran into them throwing Frankland and lead horse under the loaded cars.

He was found under the third loaded car. His injuries are all inward, his stomach being crushed. He has a young wife at Springville, mother at Riverton, and a brother at Salt Lake.

## RELATIONS WITH TURKEY.

### Rumor that a Rupture May Soon Occur Are Untrue.

Constantinople, Friday, Nov. 30.—The rumors that a rupture of diplomatic relations between the United States and Turkey is imminent, are unfounded. The relations between the two countries and the United States are excellent. In fact, the United States charge d'affaires, Lloyd C. Griscom, has been received in audience six times this year. Only a fortnight ago he was invited to a musical entertainment at the Yildiz palace. This proves he is persona grata at the palace. The visit of the United States battleship Kentucky to Smyrna does not influence the nature of these relations, though it does induce the porte to more strictly concern itself with the United States claims for indemnity, which he drove away from the point of solution. Dr. Thomas H. Norton is going to take possession of his post at Harpoot Monday. The United States legation will continue to press its demands for an equator but a prompt solution of this question is not likely. The order to the Cramps, of Philadelphia, for a cruiser will be small, the price being less than \$50,000 Turkish pounds.

## Kruger Starts for Cologne.

Paris, Dec. 1.—Mr. Kruger left the Hotel Scribe at 1:10 today in a closed carriage, surrounded by a squadron of mounted municipal guards. The crowd which gathered about the hotel was decidedly small compared with the size of those which greeted Mr. Kruger a week ago. The Boer leader was cheered as he drove away, swinging his hat from the landau window. The Boer committee which accompanied Mr. Kruger to the station will go as far as the French border. The special train with Mr. Kruger on board started for Cologne at 1:40 p. m. Mr. Kruger spent the morning in conference with members of his party, only receiving three or four persons outside his followers. Just before leaving his apartments he walked out upon the balcony. His appearance was the signal for warm cheering and the repetition of the cries which have greeted him wherever he has gone this week.

At the courtyard of the hotel were two covered landaus. There Mr. Kruger entered the carriage which took him to the station. The crowd out had hoped to secure a final view of Mr. Kruger but they were disappointed. The first intimation that he was about to leave was the sight of the carriage driving out of the hotel at a quick trot. The landau was driven into an open space, surrounded by mounted guards. When the carriage was within a few paces, a troop of mounted guards, armed with rifles, started for the carriage. The carriage stopped, and Mr. Kruger arrived a week ago at almost the same hour. The crowds along the streets and the people who filled the windows cheered warmly as the cortege passed, many ladies throwing flowers toward Mr. Kruger's carriage, while the men cheered and waved their hats.

At the station there were a few hurried farewells and at 1:40 p. m. Mr. Kruger departed for Cologne.

## "Mr. Dooley" Dunne Better.

Chicago, Dec. 1.—The illness of P. Peter Dunne, the author of "Philosophy Dooley," is due to typhoid fever, and not pneumonia, as at first believed. The physicians in attendance today said Mr. Dunne was not now in danger.

## MURDER A POLICEMAN.

East End of London is Being Terried by the Roughs.  
London, Dec. 1.—The recent increased activity of the police here against "hooliganism" in Whitechapel has been speedily followed by a revengeful murder. Early today Constable Thompson attempted to disperse a hatered gang when one of the latter turned and stabbed him to death. Thompson was connected with the search for the perpetrators of the "Jack the Ripper" murders.

Another band of armed "hooligans" killed a woman in the Lime house district last night and a number of other

## NAMED FOR THE SCHOOL BOARD.

### Joseph Geoghegan Selected as Candidate in the Fourth.

## TWO CONVENTIONS HELD.

### Smaller One Named Judge Henderson—Calls for Convention in Other Municipal Wards.

A mass meeting of the voters of the Fourth municipal ward was held last night, pursuant to call of the Democratic and Republican precinct chairmen, for the purpose of naming a candidate for member of the school board, but the meeting divided and as a consequence there are two candidates in the field. They are Joseph Geoghegan, and Judge Henderson.

The meeting was called for Taggart's hall, but a few minutes before the hour of commencing, there was such a jam of people that it was not only uncomfortable, but was thought to be dangerous, as the crowd was too much of a strain upon the building. Through request therefor, Bishop M. S. Woolley, of the Twenty-first ward, proposed that the audience adjourn to the Twenty-first ward meeting house, where there would have ample room. A vote resulted in about two-thirds of the people favoring the change of place. The remaining one-third, representing most of the Henderson supporters, refused to stir and stayed at Taggart's hall.

## GEOGHEGAN NOMINATED.

The regular convention re-assembled at the Twenty-first ward hall, in pursuance of the adjournment. John Higham, the Republican precinct chairman, called the meeting to order, and John T. Caine was elected chairman. Mr. Caine briefly stated the object of the meeting, after which Hon. O. F. Whitney arose and nominated Joseph Geoghegan. He said the latter was an enlightened and progressive citizen, a good business man, and would be a credit to the Fourth municipal ward as a member of the school board.

Hon. James Devine seconded the nomination in an earnest speech. He mentioned that reports had been made that Mr. Geoghegan was an enemy of the public school system. The speaker declared that was a base and untrue statement. Mr. Geoghegan himself had expressed his firm friendship for the public schools.

Judge George W. Moyer arose and named Judge Henderson as his opponent. He said that there was no question as to his loyalty to the public schools. The assembly then balloted, with the result that Geoghegan received 155 votes and Henderson 15. The nominee of the convention. The meeting was then adjourned.

Mr. Geoghegan states that he is heartily in sympathy with the public schools, and that if he is elected he will use his best endeavor to further their interests.

## HENDERSON NAMED TOO.

The smaller portion of the people remained at Taggart's hall, which had been relieved of the great crush by the removal of the majority, and proceeded to business. T. F. Thomas called the meeting to order, made a short statement as to the purpose of the gathering, and suggested that L. M. Earl be made chairman of the meeting. The suggestion carried and Charles Reed was made secretary.

The name of Judge Henderson was then submitted in a speech by Fisher S. Harris and he was nominated by acclamation, no opportunity being given for further nominations.

John T. Astor stated that it had been suggested that Judge Henderson would not accept the nomination if tendered him. Some one said that the judge was downstairs and a committee of two was dispatched to call him to the assembly and express his feelings in the matter.

He was brought forward and made a brief speech, saying that if the people desired him to accept the nomination, he would accept the nomination, and would continue to use his efforts to maintain the Salt Lake schools at their present high standard of excellence.

He was then elected to the school board. The name of Judge Henderson was then submitted in a speech by Fisher S. Harris and he was nominated by acclamation, no opportunity being given for further nominations.

## FIRST MUNICIPAL WARD.

A meeting was held in the city and county building last night by representatives from the first municipal ward. Joseph Weller presided, and the subject of a member of the school board was discussed. Among the reasons given out last night for not wanting Mr. Wilson on the school board again were that he was an active partisan, and that he signed the ten-year lease for the present high school building. It is understood Frank Branting will be a candidate at the convention for successor to Mr. Wilson. It is expected the convention will be held on Monday evening at 8 o'clock, in the Second ward assembly room.

## FIFTH MUNICIPAL WARD.

In the Fifth municipal ward there is likely to be a lively contest, the primary on Monday evening. There have been several candidates named, but the race is likely to be between W. A. Neiden, the present incumbent, and F. J. Fabian, of the firm of Jung & Fabian, commission grocers.

## CONVENTION CALLS.

A call for a non-partisan school convention in the Third precinct, to be held at Plymouth church on Monday evening, has been made.

The voters of the Fifth precinct will hold a non-partisan convention, to name a candidate for the school board,

## MRS. VAIL ENTERS SUIT FOR DIVORCE.

### Accuses Her Husband of Gross Cruelty, Extending Over 8 Years.

## VOLUME OF MARITAL WOES.

### Photograph of a Married Woman the Cause of a Part of the Domestic Troubles.

Edith Vail, the woman who created such a scene at the Sacred Heart academy in Ogden a few weeks ago in the rescue of her child by means of an empty revolver, filed a divorce suit against her husband, Elmer A. Vail, in the Third district court today. The complaint covers fifteen pages of typewritten copy, and recites a volume of marital woes. Plaintiff starts out by saying that she is a native of Salt Lake City, where she was born on February 21, 1873. Her husband is thirty-five years of age, and a civil engineer by profession. For the past nine years he has been in the employ of the Salt Lake & Ogden Railway company, and is now its chief engineer, earning \$150 per month salary. The marriage took place at Ogden on March 12, 1892, and plaintiff and defendant continued to live as man and wife until last February, when they separated. The issue of the marriage was a girl, Gladys Orlean Vail, now in her seventh year.

Shortly after the marriage, it is alleged, defendant began to treat plaintiff in a cruel and inhuman manner, and in his conduct in this regard, Mrs. Vail says, was controlled during their married life. In the month of August, 1892, Vail is accused of slapping his wife's face, and between that date and February, 1894, he is said to have frequently choked her, and kicked her.

Vail, his wife further says, is close and penurious in money matters, and whenever Mrs. Vail spent money for the actual necessities of life, defendant would become angry and abusive, and would call her all kinds of vulgar and vile names.

As an instance of defendant's closeness and cruelty it is cited that during the month of February, 1894, about a month before Gladys was born, Mrs. Vail by permission of her husband, purchased a baby's outfit. Vail thought the baby clothing altogether too expensive, and when she had paid for it, he refused to let her have it, and she was forced to give it to a friend.

Two weeks after the child was born, Mrs. Vail says, she employed a woman to wash some clothes, when her husband again called her names, said she could do her own washing, and refused to pay the hired woman. Plaintiff never bought herself or baby any clothes but her husband found fault and swore at her. Frequently, she says, during their married life, she was compelled to go to where the defendant was employed to get money for actual living expenses.

## HAD TO ASK FOR MONEY.

Once the defendant chided Mrs. Vail for going to his employer's office for money, and said, "If you don't keep away from my office I'll treat you like a dog." Whenever plaintiff would ask her husband to take her out to visit friends and acquaintances she received abuse.

In 1894 defendant took plaintiff to live at the St. James hotel, and left her there almost every night until midnight. Other acts of cruelty are complained of and plaintiff says they became so common that she took no note of the dates or the number of times they occurred.

On March 26, 1895, the child, Gladys, accidentally fell through a trap door into a cellar, and in the fall broke her thigh bone. Defendant blamed his wife for the accident and abused her shamefully for allowing it.

## HE LOVED ANOTHER.

During the summer of 1895, plaintiff alleged, Vail carried in his pocket the photograph of a married woman. He would tantalize Mrs. Vail by giving her an occasional glimpse of said married woman, and when Mrs. Vail threatened to show the photograph, the defendant's reply, according to his wife, was: "I will wash you if you ever lay fingers on that picture. If anything should happen that you would die, I'd show you the picture, marry her; and if I had known her before I did you, I would have married her in preference to you. If you die I will marry her then, because I love her."

It is also said that defendant sent a letter to the plaintiff, under an assumed name, asking her to make dates with strange men.

The child, Gladys, was kidnapped while plaintiff was at the Theater, where she had been induced to go by defendant.

Other acts of extreme cruelty are set out and plaintiff concludes by praying for an absolute decree, the care and custody of the child temporary alimony and a restraining order to prevent the defendant interfering with plaintiff's possession of their child.

Powers, Straup & Lippman are the attorneys for Mrs. Vail.

## TERMS OF COURT.

### Judges of Third Judicial District Fix Same Today.

The terms of court in Salt Lake, Summit and Tooele counties, comprising the Third judicial district, for the year 1901 were fixed by Judges Cherry and Hiles today—Judge Norrell being out of the State—as follows.

Salt Lake: the second Monday in January, April and September.

Summit: the first Tuesdays in February, May and October.

Tooele: the third Tuesdays in February, May and October.

## JESSIE MORRISON'S TRIAL.

### The State Has Some of Its Witnesses on the Stand.

Kansas City, Mo., Dec. 1.—A special to the Star from Eldorado, Kansas, says:

Olin Castle was to have been put on the stand today in the Jessie Morrison murder trial, but in the light of yesterday's proceedings, the prosecution has

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## BRITISH REPULSE BOERS AT BOSHOF.

### Gen. Kitchener So Reports—Knox in Touch With Dewet Near Tafelberg—Capture of Boer General Imminent.

## DEWET'S CAPTURE IMMINENT.

London, Dec. 1.—The Evening Standard reports that a great fight is in progress between Gen. Knox and Gen. Dewet near Boshof, in the southern extremity of the Orange River colony, and that the capture of Gen. Dewet is considered imminent.

The British had five men killed and 56 wounded in the fight with the Viljoen and Erasmus commandos near Boshof, November 29.

Many Boers killed. Bloemfontein, Orange River Colony, Dec. 1.—A patrol of fourteen South African constabulary, during the night of November 28, engaged a contingent from Haasboek's commando, southward of this town, with the result that 25 Boers are reported to have been killed or wounded.

Blair James Bishop and a "News" reporter.

Aaron, agreed with the former to change his plea providing the Judge wouldn't give him more than three years. Mr. Van Cott consented; Aaron got off with one year; hence the smiles.

## CANAL COMPANIES FILE BOND.

### Undertaking in the Sum of \$20,000 Listed With the Clerk of Court.

In the case of the Jordan Narrows Power company against the Utah and Salt Lake Canal company et al, the Utah and Salt Lake canal company, and the South Jordan Canal company, by its officers, gave a bond of \$20,000 in the Third district court today, with the Fidelity and Deposit company of Maryland as surety.

Recently the court granted the defendants a restraining order against plaintiff, to prevent the latter from interfering with its waters in the Jordan river conditioned for the payment of such damages, not exceeding \$20,000, as plaintiff may sustain by reason of such restraining order, should the court finally decide that the defendants were entitled thereto.

## Pleaded Not Guilty.

Lemon Applegate, accused of carnally knowing Alva Potter, a 14-year-old girl, entered a plea of not guilty before Judge Cherry today. The prisoner was among the number brought into court on Wednesday last, but asked until noon today before entering his plea.

Before taking his place the court listened to arguments on a demurrer to the information, presented by Attorney Patterson. The demurrer was overruled. One of the grounds was that the information failed to allege "that Alva Potter is a female of the human species."

## MRS. VAN LIEW IN PRISON.

### Sad and Affecting Parting Between Husband and Wife.

Columbus, Ohio, Dec. 1.—Mrs. Emma Van Liew, who yesterday, at Van Wert, pleaded guilty to manslaughter by throwing vitrol into the face of Miss Alice Hammel, last September, causing her death, was delivered to the penitentiary this morning in a carriage, accompanied by Sheriff Webster and her husband, the latter being a special deputy by appointment of the court. The prisoner was dressed in the usual course at the prison female department, being shown no special favors, nor was application made for any such consideration. She was taken to a hotel for the night by reason of illness. The parting between husband and wife was very affecting.

## Canadians at the Mansion House.

London, Dec. 1.—During a course of sight seeing in the metropolis today the members of the Royal Canadian contingent of troops were received at the Mansion house by the lord mayor and corporation. His lordship expressed the high honor he felt at entertaining a regiment "whose services to the empire were so great that they had been acknowledged by the queen's own lips, the highest honor which could be bestowed on returning troops."

Lieut.-Col. Buchanan gracefully acknowledged the hearty reception of the Canadians everywhere in England.

## Czar Passes Very Good Day.

Livadia, European Russia, Dec. 1.—The following bulletin was issued today: "The emperor passed a very good day yesterday and slept very well last night. His majesty's condition is very satisfactory. At 9 o'clock yesterday evening his temperature was 97; pulse 60. This morning his temperature was 96.1; pulse 60."

## Beer for the Philippines.

Vancouver, B. C., Dec. 1.—The outgoing steamship Empress of China, which sails from this port for the Orient on Monday will carry a record cargo of beer for the Philippines. Fifty thousand barrels brought hither in 73 trains are consigned to Manila.

## Caleb Powers' Appeal Filed.

Frankfort, Ky., Dec. 1.—The appeal of ex-Secretary of State Caleb Powers from the life sentence imposed by the Kentucky court in the Goebel murder conspiracy, was filed today in the court of appeals and submitted on briefs.

## Offer to Booby Dobbs.

Chicago, Dec. 1.—A special to the Record, from Nashville, Tenn., says: Booby Dobbs has received an offer of £1,000 from the National Sporting club, of London, to meet Dick Burge. He will accept.

## Democratic Caucus Called.

Washington, Dec. 1.—A caucus of Democrats of the House has been called for next Monday afternoon. The proposed bill for re-organization of the army will be the subject of consideration. It is understood that Democrats favor the idea of offering as a substitute for the re-organization bill a measure extending for two or three years the present temporary army arrangement.

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